

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Science, Technology
& Environment

Notification

LS/Misc/1915/96/537-N

The following draft Rules which are proposed to be made under section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act 5 of 1997), are hereby pre-published as required by said section 17 for information of all persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on the expiry of a period of 15 days from the date of publication of this Notification in the Official Gazette.

All suggestions/objections to the draft Rules may be forwarded to the Joint Secretary, Department of Science, Technology & Environment, Sharda Bldg., 2nd floor, Behind Talaulikar Hospital, Panaji, before the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act 5 of 1997), the Government of Goa hereby makes the following rules, namely;

1. *Short title, extent and commencement.*— (1) These rules may be called the Goa Non-Biodegradable Garbage (Control) Rules, 1997.

(2) They shall come into force on such date as the State Government may, by notification appoint, and different dates may be appointed for different areas.

2. *Definitions.*— In these rules, unless the context otherwise requires;

(a) "Act" means the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act 5 of 1997);

(b) "Bio-medical/clinical waste" means the waste generated in the hospitals, dispensaries, private clinics, laboratories and slaughter houses and shall include:—

- (i) human or animal anatomical wastes;
- (ii) blood, body fluids and blood soaked bandages;
- (iii) microbiological wastes;
- (iv) discarded medicines;
- (v) disposables, waste sharps (needles, syringes, scalpel, blades);
- (vi) highly infectious wastes;
- (vii) slaughter house wastes;
- (viii) incineration wastes (ash from incineration of any bio-medical waste);
- (ix) Bio-technological waste;

(c) "Garbage Management Committee" means the garbage/waste management committee constituted under rule 4 of these rules.

(b) "Garbage Management Zone" means the zone constituted under rule 3; and

(e) "section" means a section of the Act.

(f) Words and expressions used but not defined herein shall have the same meaning as assigned to them under the Act.

3. *Garbage Management Zone.*— (1) For the garbage clearance, scavenging and clearing, the local authority shall divide the area, falling within its territorial jurisdiction, into garbage management zones.

(2) Every garbage management zone set up under sub-rule (1) shall be under the charge of a Sanitary Inspector (By whatever name called) and a Sanitary Inspector may hold charge of one or more such zones.

4. *Garbage/waste management Committee.*— (1) To assist and devise the means for the efficient collection and disposal of the garbage in a garbage management zone set up under sub-rule (1) of rule 3, a Garbage Management Committee shall be constituted and it shall comprise of:—

- (a) the public representative of the area in the local body concerned;
- (b) two responsible persons of the locality nominated by the local body;
- (c) the Sanitary Inspector of the area.

(2) The functions of the garbage management committee constituted under sub-rule (1), shall be to render assistance to the local authority of the area:—

- (a) for selection or earmarking the places where public receptacles are to be provided for temporary deposit of garbage/waste generated from various sources in the garbage management zone;
- (b) for fixation of intervals, within which the contents of receptacles, deposit and accumulation at all places, designated under rule 5 may be removed/cleared;
- (c) for providing safeguards to be taken while depositing the garbage/waste in public receptacles/dustbins and its removal to dumping grounds or the places fixed for its bio-conversion, dumping, incineration or recycling;
- (d) for arranging the awareness programmes to ensure reduction, re-use and recycling of garbage/waste, especially the non-biodegradable waste;
- (e) for encouraging residents of the area to explore the social and economic feasibility of separation of house-hold at the source for its re-use and recycling; and
- (f) for devising steps to be taken for the maintenance of ecology and reduction of environmental pollution in the area.

5. *Public Garbage Receptacles/Dustbins.*— (1) The local authority, in consultation with the garbage management committee constituted under rule 4, shall, for temporary deposit or collection of non-biodegradable garbage/waste generated in the area provide or place in proper place and convenient situation, separate receptacles/dustbins (other than those kept and maintained for deposit of bio-degradable garbage).

(2) In hospitals, dispensaries, private clinics, laboratories and slaughter houses, the persons managing such institutions shall provide and place at convenient places separate receptacles/dustbins for the collection and deposit of garbage and bio-medical/clinical waste generated therefrom.

(3) The local authority and the management referred to in sub-rule (2) while providing/placing the receptacles and dustbins under this rule, shall take every possible precaution to ensure that these are kept beyond the approach/reach of dogs and stray animals.

6. *Colour of and Inscription on Receptacles/Dustbins.*— The public receptacles and dustbins shall be painted in colour and shall carry the inscription as under:—

- (i) Bio-degradable— in black colour with inscription "For degradable waste only";
- (ii) Non-biodegradable— in green colour with inscription "For non-biodegradable waste only";
- (iii) Bio-medical/clinical waste — in yellow colour with inscription "For bio-medical/clinical waste only".

7. *Safeguards to be taken by owners and occupants for deposits of garbage/waste generated from their buildings and lands.*— The owners and occupants of all lands and buildings shall collect or cause to be collected the garbage/waste from their respective lands/buildings and deposit it or cause it to be deposited in public receptacles/dustbins provided under rule 5, for temporary deposit or collection of garbage by the local authority of the area ensuring that:—

- (a) the garbage is deposited in a location designated by the local authority;
- (b) the garbage is placed in garbage receptacles/dustbins;
- (c) the bio-degradable garbage is deposited in the receptacles/dustbins/dumper designated for that purpose; and
- (d) the non-biodegradable garbage is not mixed either with the bio-degradable garbage or bio-medical/clinical waste and is deposited in the receptacles/dustbins designated for that purpose.

8. *Prohibition to throw Non-biodegradable waste.*— No person, himself or through another, shall knowingly or otherwise:—

- (a) throw or cause to be thrown any non-biodegradable garbage in a place other than the garbage receptacle/dustbin designated for the purpose under rule 5; and
- (b) mix the bio-medical/clinical waste with other non-biodegradable waste garbage.

9. *Litter control.*— The local authority or its officers may order the clean up of any non-biodegradable litter which has been disposed off contrary to the provisions of the Act and these rules.

10. *Disposal of garbage/waste.*— (1) The garbage/waste generated from various sources and deposited in the receptacles/dustbins provided under rule 5, shall be got collected and removed, by the local authority, either through its employees or through the private agencies engaged by it for this purpose, to the dumping grounds or suitable disposal sites.

(2) The non-biodegradable garbage/waste (other than the bio-medical/clinical waste, whether comprised of biodegradable or non-biodegradable matter) collected from receptacles/dustbins and carried to dumping grounds or disposal sites under sub-rule (1), shall be further carried to the recycling centres arranged by the local authority through its own officers or through agencies.

(3) Subject to the provisions contained in any other law for the time being in force, and the terms and conditions which may be imposed by a local authority, the persons responsible for the management of a hospital, dispensary, clinic, laboratory and slaughter house, shall dispose off the bio-medical/clinical waste (including other garbage generated therefrom) by the process of incineration or other safe non-incineration technology:

Provided that where incineration facilities are not available or economically viable, the local authority, shall, in the absence of any agreement to the contrary arrange, at the cost of person responsible for the management of said facilities for the removal and disposal of the bio-medical/clinical waste by the process of incineration or other safe non-incineration technology.

(4) Subject to the provisions of sub-rule (3), the bio-degradable waste shall be got disposed off by the local authority, as it may be deem fit, by the process of bio-conservation, dumping or incineration or any other scientific method.

(5) Each site for bio-conversion, dumping and processing of the garbage/waste generated from all sources within the territorial limits of the local authority should be located at sufficient distance from the residential habitats.

11. *Powers of officers/employees of local authority and members of garbage management committee*— (1) For the purpose of implementation of the provisions of these rules, an officer or employee of the local authority or the members of the garbage management committee constituted under rule 4, may at any reasonable time any or all of the following acts, namely:—

- (a) enter and inspect any places to determine;
 - (i) the extent, if any, to which a garbage may cause, is causing or has caused any adverse effect;
 - (ii) the cause of any adverse effect that may occur, is occurring or has occurred;

(iii) how an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed;

- (b) enter and inspect any place in which such officer or employee or member, as the case may be, reasonably believes that the waste can be found;
- (c) when such officer, employee or member, as the case may be, reasonably believes that any garbage/waste may release, is releasing or has released into the environment or a place to public view, or that garbage/waste may cause, is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/ waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 5.

(2) No entry in any private premises under sub-rule (1) shall be made after sunset before sun-rise.

12. *Assistance to officers*:— The owners of and every person found in, any place in respect of which an officer or employee of the local authority or the member of the garbage management committee constituted under rule 4 is exercising powers and carrying out duties under the Act and these rules shall:—

- (a) give such officer, employee or member all reasonable assistance to enable him to exercise those powers and carry out those duties;
- (b) furnish all information relative to exercising of those powers and carrying out those duties that such officer, employee or member may reasonably require.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Jt. Secy, STE.

Panaji, 22nd May, 1997.